

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA

§

v.

§

NO. 1:12-CR-18 (9)
(Judge Marcia Crone)

JOHN ANTHONY SAENZ, a/k/a
“Daniel”

§

ELEMENTS OF THE OFFENSE

You are charged in Count 1 of the First Superseding Indictment with a violation of Title 21, United States Code, Section 846, conspiracy to possess with the intent to distribute methamphetamine, a Schedule II controlled substance.

The essential elements which must be proven to establish the Title 21, United States Code, Section 846 violation are:

1. That two or more persons, directly or indirectly, reached an agreement to possess with intent to distribute methamphetamine;
2. That the defendant knew of the unlawful purpose of the agreement;
3. That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and
4. That the overall scope of the conspiracy involved 500 grams or more of methamphetamine and 50 grams or more of methamphetamine “actual”.

Respectfully submitted,

JOHN M. BALES
UNITED STATES ATTORNEY

/s/ Michelle S. Englade
MICHELLE S. ENGLADE
Assistant United States Attorney
Texas Bar No. 06619650
350 Magnolia, Suite 150
Beaumont, Texas 77701-2237
(409) 839-2538
(409) 839-2550 (fax)
michelle.englade@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was delivered by electronic filing to Edward Sillas, attorney for defendant, on the 7th day of January, 2013.

/s/ Michelle S. Englade
MICHELLE S. ENGLADE
ASSISTANT U.S. ATTORNEY